On page 14, line 1, please cancel the word "CLAIMS" and substitute in its place –WHAT IS CLAIMED IS:--.

IN THE CLAIMS

Please amend the claims as follows:

1. **(Amended) [Isolated and purified genetic sequence (1) controlling in trans]**An isolated polynucleotide which controls the expression of a xylanase promoter-operator nucleotide sequence in trans, comprising **[(2)]** at least about 100 nucleotides of SEQ ID NO:1, its complement, or a homolog, wherein said homolog controls the expression of said xylanase promoter-operator.

2. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide according to claim 1, **[being a nucleotide sequence which presents]**with more than 60% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.

3. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide genetic sequence according to claim 2, **[which presents]**with more than 80%**[, preferably more than 90%, more specifically more than 95%,]** homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.

4. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide according to claim 1, **[any one of the preceding claims, being the nucleotide sequence SEQ ID NO:1, its complementary strand or a portion thereof having more than 100 nucleotides and]**wherein said polynucleotide **[encoding]**encodes a peptide **[controlling]**which positively and/or negatively controls the activation of a xylanase promoter-operator nucleotide sequence.

5. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide according to claim 1, **[being]**encoding an amino-acid sequence **[which presents]**having more than 60% homology with SEQ ID NO:2.

6. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide, according to claim 5, **[being]**wherein the amino-acid sequence

[which] presents more than 80%**[, preferably more than 90%, more specificalloy more than 95%,]** homology with SEQ ID NO:2.

7. **(Amended) [Isolated and purified genetic sequence]**The isolated polynucleotide according to claim 1, **[being]**encoding the amino-acid sequence SEQ ID NO 2 or a portion thereof having more than 50 amino-acids **[which is capable of controlling]**wherein said portion controls positively and/or negatively in trans the expression of a xylanase promoter-operator nucleotide sequence.

8. **(Amended) [Nucleotide]**A polynucleotide construct **[(6)]** comprising the isolated and purified polynucleotide **[sequence]** according to **[any one of the claims 1 to 4]**claim 1, operably linked to a xylanase promoter-operator poynucleotide **[sequence (2) and possibly a nucleotide sequence (5) which is cis-activated by said xylanase promoter-operator nucleotide sequence (2)]**.

9. **(Amended) [Vector (7), preferably a plasmid,]**A vector comprising the isolated and purified polynucleotide **[sequence (2)]** according to **[any one of the claims 1 to 7 or the nucleotide construct (6) according to claim 8]** claim 1.

10. **(Amended) [Cell]**A cell transformed by the vector according to claim 9 **[and which allows the expression of the isolated and purified genetic sequence according to any one of the claims 1 to 7]**.

Please add the following Claims:

11. The isolated polynucleotide according to claim 3, with more than 90% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.

12. The isolated genetic sequence according to claim 3, with more than 95% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.

13. The isolated polynucleotide of Claim 1 further comprising a cofactor.

14. The isolated polynucleotide of Claim 11 wherein said cofactor is selected from the group consisting of glucose, xylan, and mixtures thereof.

15. A method for the up-regulation or down-regulation of xylanase, comprising: providing the polynucleotide of Claim 1 to a cell which expresses xylanase.

16. The method of Claim 15, further comprising providing a cofactor.